

## Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

COME-00 DOTE-00 EB-07 FMC-01 OFA-01 DLOS-04 /071 R

DRAFTED BY EUR/CE:GLRUECKERT:KP

APPROVED BY EUR: MR. VINE

EUR/CE:RDDAVIS

EUR/SOV:FMISCH

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R 260033Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY BERLIN

INFO USMISSION USBERLIN

AMEMBASSY BONN

AMEMBASSY MOSCOW

COMMERCE

COMDT COGARD WASHDC

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COMMERCE FOR MARAD

E.O. 11652: N/A

TAGS: PFOR, ETRN, GE

SUBJECT: USE OF US PORTS BY GDR VESSELS

1. GDR LEGAL COUNSEL STANLEY FAULKNER SENT LETTER TO  
DEPARTMENT JUNE 10 REQUESTING INFORMATION ON BEHALF OF  
GDR ON US POLICY FOR ENTRY INTO US PORTS OF FOREIGN  
SHIPS. FAULKNER SPECIFICALLY INTERESTED IN KNOWING  
(A) HOW FOREIGN GOVERNMENT OBTAINS RIGHTS FOR CARGO  
AND PASSENGER SHIPS TO ENTER HARBORS, (B) CONDITIONS FOR  
REFUELING AND REPAIRS, (C) INFORMATION ON FISHING  
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RIGHTS. GDR CHARGE ELM ALSO RAISED QUESTION CONCERN-

ING GDR ENTRY INTO US PORTS WITH EUR/CE DIRECTOR ANDERSON AT LUNCHEON JUNE 19, FOLLOWING GENERAL DISCUSSION OF FISHERIES ISSUE, AND REQUESTED COPIES OF PERTINENT US GOVERNMENT REGULATIONS. ANDERSON INDICATED AT THAT TIME THAT SUBJECT MIGHT BE DISCUSSED LATER THIS SUMMER TO SEE WHETHER SOME MOVEMENT WAS POSSIBLE.

2. DURING CALL IN DEPARTMENT JUNE 24, FAULKNER WAS PROVIDED WITH FACTUAL WRITTEN REPLY TO HIS LETTER,

CONTAINING FOLLOWING SUBSTANTIVE PARAGRAPHS: QUOTE . . . THE EXISTING US POLICY CONCERNING PORT ENTRY DOES NOT PROVIDE FOR PORT CALLS BY VESSELS OF ANY KIND UNDER THE CONTROL OF, OR BEARING THE FLAG OF THE GERMAN DEMOCRATIC REPUBLIC. THIS OF COURSE DOES NOT PRECLUDE THE ENTRY OF GDR VESSELS INTO US TERRITORIAL WATERS AND PORTS IN CASES OF DISTRESS OR FORCE MAJEURE. SUCH CASES WOULD BE HANDLED IN ACCORDANCE WITH ESTABLISHED INTERNATIONAL PROCEDURES.

CONCERNING FISHING RIGHTS BY FOREIGN VESSELS OFF THE U.S. COAST, U.S. LAW PROHIBITS FOREIGN FISHING ACTIVITIES WITHIN TWELVE MILES OF THE U.S. COAST. BEYOND THE TWELVE MILE LIMIT THERE ARE, AT PRESENT, NO RESTRICTIONS EXCEPT IN CASES WHERE A COUNTRY IS A PARTICIPANT IN A BILATERAL OR MULTILATERAL FISHERIES ARRANGEMENT WITH THE U.S. AT THE SAME TIME, FOREIGN FISHING VESSELS ARE REQUIRED TO OBSERVE THE U.S. LAW REGARDING THE TAKING OF CONTINENTAL SHELF FISHERY RESOURCES, SUCH AS THE NORTH AMERICAN LOBSTER. IT IS ALSO THE U.S. VIEW THAT ALL NATIONS WHICH FISH IN WATERS ADJACENT TO THE U.S. HAVE A CLEAR RESPONSIBILITY TO CONDUCT THEIR FISHERIES IN A PRUDENT MANNER WITH DUE REGARD FOR THE CONSERVATION OF THE RESOURCES. UNQUOTE.

3. IN RESPONSE TO QUESTION, DEPTOFF (EUR/CE: RUECKERT) INFORMED FAULKNER THAT US GOVERNMENT POLICY ON ENTRY OF GDR SHIPS INTO US PORTS IS POLITICAL ISSUE, RATHER THAN QUESTION OF LEGISLATION. CONSEQUENTLY, DEPARTMENT IS PROPER FOCAL POINT IN U.S. GOVERNMENT FOR ANY FURTHER LIMITED OFFICIAL USE

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DISCUSSION WHICH GDR MAY WISH PURSUE ON THIS MATTER. IN RESPONSE TO REQUEST FOR COPY OF PERTINENT REGULATIONS, DEPTOFF INDICATED THAT EXTANT REGULATIONS ARE FOR OFFICIAL USE AND NOT AVAILABLE FOR PUBLIC CIRCULATION.

4. WE WOULD EXPECT GDR TO FOLLOW UP FAULKNER AND ELM INQUIRIES IN NEAR FUTURE WITH FORMAL GDR REQUEST FOR CHANGE IN CURRENT US PORT ENTRY POLICY FOR GDR VESSELS.

ACCORDINGLY, DEPARTMENT WOULD APPRECIATE RECEIVING  
AS SOON AS POSSIBLE ANY INFORMATION WHICH POST CAN  
DEVELOP CONCERNING CURRENT GDR POLICY ON ENTRY OF US  
SHIPS INTO GDR PORTS AND, IF ENTRY POSSIBLY, ANY  
STATISTICAL INFORMATION WHICH POST CAN OBTAIN ON EXTENT  
TO WHICH US SHIPS ACTUALLY USE GDR PORTS. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLICIES, DIPLOMATIC COMMUNICATIONS, PORT CLEARANCES, PORT CALLS, PORT FACILITIES, CARGO SHIPS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 JUN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ElyME  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE150393  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** GLRUECKERT:KP  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ORIGIN EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ElyME  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAY 2003 by ShawDG>; APPROVED <17 OCT 2003 by ElyME>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** USE OF US PORTS BY GDR VESSELS  
**TAGS:** PFOR, ETRN, GC, US  
**To:** BERLIN  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006